

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DIAMOND D. BLAIR,

Defendant.

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Case No. 10-00093-01-CR-W-GAF

ORDER

Now pending before the Court is Defendant's motion to suppress all evidence and testimony obtained through the search of the vehicle in which Defendant was a passenger. Defendant argues that officers did not have reasonable suspicion to stop the vehicle and that he was unlawfully detained. He, therefore, maintains that the firearm recovered from the vehicle should be suppressed, as well as the statement he made subsequent to his arrest as fruit of the poisonous tree.

On October 18, 2010, Chief United States Magistrate Judge Robert E. Larsen conducted an evidentiary hearing on the motion to suppress. On November 9, 2010, Judge Larsen issued his Report and Recommendation (Doc. #83).

Upon careful and independent review of the pending motion, as well as the applicable law, this Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of Chief United States Magistrate Judge Robert E. Larsen.

Accordingly, it is hereby ORDERED that Defendant's Motion to Suppress (Doc. #55) is OVERRULED and DENIED.

IT IS SO ORDERED.

s/ Gary A. Fenner
Gary A. Fenner, Judge
United States District Court

DATED: November 24, 2010